



Control Number: 48785



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SOAH CONSOLIDATED DOCKET NO. 473-19-1265  
PUC CONSOLIDATED DOCKET NO. 48785

2019 JAN -9 PM 1:32

PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF ONCOR § BEFORE THE STATE OFFICE  
ELECTRIC DELIVERY COMPANY §  
LLC, AEP TEXAS INC., AND LCRA §  
TRANSMISSION SERVICES §  
CORPORATION TO AMEND §  
THEIR CERTIFICATES OF § OF  
CONVENIENCE AND NECESSITY §  
FOR 345-KV TRANSMISSION §  
LINES IN PECOS, REEVES, AND §  
WARD COUNTIES, TEXAS (SAND §  
LAKE TO SOLSTICE AND §  
BAKERSFIELD TO SOLSTICE) § ADMINISTRATIVE HEARINGS

**GALE AND DOROTHY SMITH'S LATE MOTION TO INTERVENE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

NOW COMES, GALE AND DOROTHY SMITH ("Smith"), pursuant to Public Utility Commission ("PUC") Procedural Rules §§ 22.101, 22.102, 22.103 and 22.104, and files this Late Motion to Intervene in the above referenced proceeding. Pursuant to SOAH Order No. 1 issued on November 15, 2018, the deadline for intervening was December 27, 2018. In support hereof, Smith respectfully shows the following:

**I. AUTHORIZED REPRESENTATIVE**

Attorneys Patrick L. Reznik, Cassie Gresham, and Shane D. Neldner pursuant to P.U.C. PROC. R. 22.101(a), hereby notice their appearance as counsel on behalf of Smith in the above-styled and numbered proceeding before the Public Utility Commission of Texas.

The name, address, and telephone number of Intervenors authorized representatives is as follows:

Patrick L. Reznik  
**BRAUN & GRESHAM, PLLC**  
P.O. Box 1148  
Dripping Springs, Texas 78620  
512-894-5426 (telephone)  
512-894-3405 (fax)  
Email: [preznik@braungresham.com](mailto:preznik@braungresham.com)

Smith requests that the Commission and all parties to this proceeding serve copies of all notices, correspondence, pleadings, briefs, requests for information, and other documents on said authorized representatives.

## **II. JURISDICTION**

The Commission has jurisdiction over the parties and subject matter of this proceeding pursuant to PURA § 37.053.

## **III. BASIS FOR INTERVENTION**

Smith has a justiciable interest in this proceeding. Smith owns property that may be directly impacted by one or more of the routes for LCRA Transmission Services Corporation and AEP Texas Inc's ("LCRA & AEP") proposed transmission line. Smith has been notified by LCRA & AEP that their property may be directly affected, as that term is defined in P.U.C. PROC. R. 22.52 (a)(3), by the proposed transmission line that is the subject of this docket. Smith, therefore, has standing to intervene under P.U.C. PROC. R. 22.103(b)(2). Smiths' motion to intervene is untimely under the procedural schedule set forth in SOAH Order No. 1. Pursuant to 16 TAC § 22.104(d), good cause exists for this late request. Due to the holidays and travel, Smith was unable to submit their request to intervene timely. Smith mailed their Request to Intervene to the Public Utility Commission on January 2, 2019, to date this intervention has not been posted on the P.U.C.'s interchange. See Exhibit A.

No prejudice to or additional burdens upon existing parties will result from granting this late-field intervention and no disruption to the proceeding will result from granting this request. Smith requests that this Late Motion to Intervene be granted and that they be recognized as a party.

#### **IV. ACKNOWLEDGEMENTS**

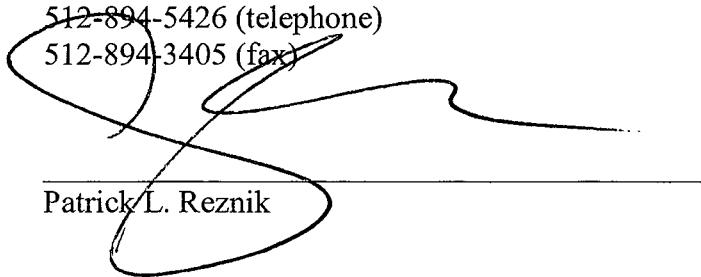
Smith acknowledges: (1) they will be a party to the case; (2) they will be required to respond to all discovery requests from other parties in the case; (3) if they file testimony, other parties may cross-examine them at the hearing; (4) if they file any documents in this case, copies of those documents will be served to every other party in this case, except where modified by alternative service procedures set out by order in this proceeding; and (5) they are bound by the Procedural Rules of the Public Utility Commission of Texas and the State Office of Administrative Hearings.

WHEREFORE, PREMISES CONSIDERED, Smith respectfully requests that this Late Motion to Intervene be granted, that they be allowed to participate in this proceeding as a party with all rights thereof to the full extent that they desire to do so, and for such further relief to which they may be entitled.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

P.O. Box 1148 (Mailing)  
Dripping Springs, Texas 78620  
14101 Hwy. 290 W., Suite 1100 (Physical)  
Austin, Texas 78737  
512-894-5426 (telephone)  
512-894-3405 (fax)



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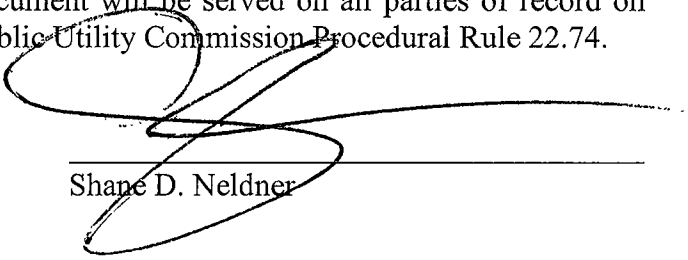
Patrick L. Reznik

State Bar No. 16806780  
Cassie Gresham  
State Bar No. 24045980  
Shane D. Neldner  
State Bar No. 24062435

**ATTORNEYS FOR GALE AND DOROTHY  
SMITH**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on January 9, 2019, in accordance with Public Utility Commission Procedural Rule 22.74.



Shane D. Neldner

# Request to Intervene in PUC Docket No. 48787

The following information must be submitted by the person requesting to intervene in this proceeding. This completed form will be provided to all parties in this docket. **If you DO NOT want to be an intervenor, but still want to file comments, please complete the "Comments" page.**

Mail this completed form and 10 copies to:

Public Utility Commission of Texas  
Central Records  
Attn: Filing Clerk  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, TX 78711-3326

First Name: GALE & DOROTHY Last Name: SMITH  
Phone Number: 817 992 7165 Fax Number: \_\_\_\_\_  
Address, City, State: PO Box 481 FORT STOCKTON, TX 79735

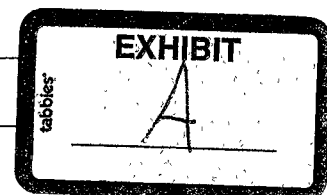
**I am requesting to intervene in this proceeding. As an INTERVENOR, I understand the following:**

- ☐ I am a party to the case;
- ☐ I am required to respond to all discovery requests from other parties in the case;
- ☐ If I file testimony, I may be cross-examined in the hearing;
- ☐ If I file any documents in the case, I will have to provide a copy of that document to every other party in the case; and
- ☐ I acknowledge that I am bound by the Procedural Rules of the Public Utility Commission of Texas (PUC) and the State Office of Administrative Hearings (SOAH).

**Please check one of the following:**

- ☒ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.
- ☒ One or more of the utility's proposed routes would cross my property.
- ☒ Other. Please describe and provide comments. You may attach a separate page, if necessary. \_\_\_\_\_

We actually have homes on property



**Signature of person requesting intervention:**

Gale & Dorothy Smith Date: 1-2-2019